

## JURY IS ORDERED FOR DU VAL CASE

Judge Ford Holds That Habeas Corpus Proceedings Shall be Decided by Twelve Men—Petitioner Found Insane.

Judge Ford in the superior court Wednesday morning insisted that the habeas corpus proceedings brought by Frank Gilmer in behalf of Charles A. DuVal against Sheriff Bailey should be heard before a jury. Dan Nye, deputy prosecutor, was instructed to proceed in a contest of the case. It is expected that it will be heard within a few days.

DuVal charges that he is being held unlawfully as an insane person on a commitment issued from Justice Wypyszynski's court on May 21. It is alleged that the hearing on his sanity was before Dr. Frank K. Powers and Dr. T. S. Stranz at the instigation of DuVal's wife and other persons opposed to religious beliefs. The petitioner also alleges that the findings of the commission were based largely on the testimony of C. R. Rhinehardt in the capacity of attending physician and that Rhinehardt is a "chiropractor" and therefore has no right to appear as a licensed practicing physician.

**Same Over Religious Subjects.** The finding of the insanity commission was that DuVal had gone insane over religious subjects.

He is a follower of Pastor Russell who is the leader of the International Bible Students' association. It is said that the physicians who adjudged him insane had never known the man and that two years ago physicians, who had known him, found him to be sane. It is declared that DuVal was given no opportunity the last time to enter evidence in his own behalf and that the only witnesses were Mrs. DuVal's friends.

It is said that if a jury hears the case a precedent will be established for this state as habeas corpus proceedings have heretofore been matters solely for the determination of the court. It is said also that Sheriff Bailey believes DuVal to be sane and for that reason does not care to go to the expense of contesting the proceedings.

The case will be set for hearing today which is the regular setting day of the court.

### IS YOUR NAME IN THE LIST BELOW?

If it is, you are invited to the next News-Times Birthday Party. Trips to all theaters and refreshments will be on the program.

The News-Times Birthday Party is open to all school children in South Bend and Mishawaka, whether in public or private schools, regardless of whether or not their parents are News-Times subscribers.

A list of all school children in the public and private schools of South Bend and Mishawaka has been compiled. On the date of the child's birthday his or her name is printed in The News-Times and on the Saturday following such publication the boy or girl comes to the circulation department of The News-Times and receives a coupon ticket which admits him or her to the Orpheum, LaSalle, Surprise and Colonial theaters, also a treat at the fountain of the American Drug Co. Children living 10 or more blocks from the office are given return car fare home.

On account of the Orpheum and the Majestic being closed temporarily, it is suggested that the children save the tickets which admit them to these theaters until the fall season starts, when they will be honored. Tickets are good any Saturday, so if the full number of tickets is not used in one day, they are good any succeeding Saturday.

#### BIRTHDAYS TODAY,

**South Bend.**  
Anderson, Leroy, 2015 Miami st.  
Babcock, Alex, 1719 S. Kendall st.  
DeGraft, Gladys, 921 E. Cedar st.  
Eldridge, Stewart, 702 W. Colfax.  
Frepan, Dorothy, 534 Allen st.  
Kenna, Wilma, 2102 Washington.  
LeBlanc, Lawrence, 226 N. St. Francis st.  
Menason, Osker, 708 Monroe st.  
Shulman, Jenny, 734 1-2 W. Jefferson blvd.  
**Olsen, Olaf, 316 S. Pine st.**  
Robowski, Steven, 1501 S. Scott st.  
Sotzowski, Tony, 641 Johnson st.  
Slayton, Pearl, 1525 Ottawa st.  
Zlotolow, Minnie, 412 W. Monroe st.  
**Mishawaka.**  
Falcon, Bertha, 123 1-2 S. Main st.  
Hernoz, Ernest, 826 E. Third st.  
Hutchison, Clarence, 819 S. Battell.  
Palmer, Helen, 814 S. Main st.  
Peters, Arthur, 1531 E. Third st.

#### LUCKY ONES TODAY,

**South Bend.**  
Milmar, Anton, 1119 S. Franklin.  
Mell, Mabel, 750 1-2 S. Michigan st.  
Matthews, Ruth, 1312 S. Main st.  
M. dria, Dominick, 111 W. Tuff st.  
McNary, John, 2215 S. Main st.  
**Mishawaka.**  
Walker, Donabelle, 419 W. Grove.  
Walker, Bertha, 419 W. Grove st.  
Upson, Otis, 1210 N. Main st.  
Swartz, Eugene, 508 W. Lawrence.

**NEW ART NEEDLEWORK.**  
The entire new Royal Society package line just received at Mrs. M. A. Frailek's, 431 N. Main st. See window.

See Charlie Chaplin at Springfield park every night this week. —Adv.

## HORLICK'S THE ORIGINAL MALTED MILK

The Food-drink for All Ages.

More healthful than Tea or Coffee. Agrees with the weakest digestion. Delicious, invigorating and nutritious. Rich milk, malted grain, powder form.

A Quick Lunch Prepared in a Minute Unless you say "HORLICK'S" you may get a Substitute.

## Theaters

### THE AUDITORIUM.

Today's pictures at the Auditorium are "The Goddess," the serial story featuring Earl Williams and Anita Stewart. "Love, Snow and Ice," a three part Vitaphone comedy with Wally Van, Nitra Frazer and Albert Roccardi, and the Selig weekly of current events, showing many interesting subjects.

### AT THE LASALLE.

Howard Esterbrook is the featured player at the LaSalle today where he will be seen in a five reel production of "Four Feathers," a tale of the Arabian desert. The play is a military one and concerns the marches, battles, struggles and escapes of a band of English soldiers who are engaged on the sandy deserts of Arabia. Their captain is falsely accused of cowardice, and is sent four white feathers, the brand of a deserter. He makes a terrific battle against overwhelming odds, suffers untold tortures but rescues his companions and proves his right to the name of a British officer. On the same program is a laughable eloquent comedy, "Too Many Crooks," showing the troubles of a young couple who try to run away and get married.

On Friday and Saturday the feature picture will be that of Marguerite Clark in "The Pretty Sister of Jose." In the role of Pepita, the title character of this tender romance, Miss Clark has ample and varied opportunity for the display of her initial talents. Pepita is a young Spanish country girl who has come to live in Madrid with her brother. At the time of her arrival in the gay metropolis the city is raving with the fame of the handsome bull-fighter, Sebastian, with whom all the women are in love. Warned that she, too, will succumb to the spell cast by the heroic matador, Pepita vows that she will not even speak to him should he address her. Subsequently he sees her, falls in love with her, and begins an ardent campaign to win her heart. Haughtily she spurs him, and in her pride defies him with look and gesture, although her heart is breaking with love for him. At last he is wounded right unto death in a bull fight, and through her love wins him back to life and strength.

### "THE SPENDTHRIFT."

Friday the Auditorium theater offers George Kleine's newly completed drama, "The Spendthrift," filmed from Porter Emerson Browne's famous Broadway success.

This story has been made in typical George Kleine style, featuring three well known Broadway players instead of the usual one accorded feature films. Irene Fenwick, that dainty personality which is doing so much for "The Song of Songs" at the Eltinge theater, New York, finds a role splendidly adapted to her unusual and engaging abilities in the money-spending, true-hearted but unconventional Frances Ward. She is ably supported by Cyril Keightley as her youthful husband, Richard Ward, the broker whose financial troubles she causes by her reckless extravagance. Keightley, by the way, is also one of the important factors in the cast of "The Song of Songs." Malcolm Duncan, who is remembered as one of Harrison Grey Pike's best known leading men, is also seen in an important role in "The Spendthrift." Miss Mattie Ferguson, who played the role of Gretchen Jans in the original stage

play, is also seen in the Kleine film version in her well remembered part. "The Spendthrift" is said to be one of the most remarkable dramatic offerings of the season, combining as it does a powerful, virile story of today, a noteworthy cast and a series of bewilderingly beautiful interior settings staged without regard to cost or time. The subject is in six parts.

### BERTRAND WILL HAVE SAFE AND SANE DAY

Social Center Club Arranges Plans for Celebration Next Monday.

A sane fourth of July celebration program consisting of addresses by prominent speakers, will be given under the auspices of the Bertrand Social Center club, Monday, on the grounds north of the Bertrand bridge. The event is the second annual celebration of the center.

Flags will be placed on the grounds and on the school house and those attending are urged to display "old glory" on their automobiles and carriages.

Contests and games will begin at 1 o'clock in the afternoon and following them a patriotic tableau will be staged. Some prominent speakers will be secured to deliver the address of the day.

Band music will be furnished during the entire day and fire works will be the feature of the evening. The river will be illuminated with floats and rafts of fireworks. Plans are under way for a large float decked with fireworks of every kind, to be placed in the center of the river. The latter float is to be donated by members and friends of the Bertrand Social center. A special "Americanization" program is to be rendered Sunday evening at the school house.

### IS ATTENDING CONVENTION

Devotional Hour Will Not Be Held at Temple Beth-El.

The devotional hour will not be held at Temple Beth-El tomorrow evening as was planned for owing to the absence of Rabbi Cronbach, who is in Charlevoix, Mich., attending the central conference of American Rabbis. The next devotional hour will be held at the temple July 9.



### A Cup of Good Coffee

There's nothing tastes quite so good—and it's quite easy to have if you make it right, and always use

### McLaughlin's Critic Coffee

You can depend on the rich flavor in every cupful you drink; it's the same; we know that, for we buy the coffee *at the plantations*. It's an important thing for you to remember about McLaughlin's coffees. When you order your groceries say

## Critic Coffee

30 cents a pound



### HOWARD ESTERBROOK

The Magnetic Screen Star, in a vivid fictional classic,

### "FOUR FEATHERS"

A story of the Arabian desert.

The title has to do with a symbol of cowardice which some British officers send a companion. He proves his bravery in a battle in a sand-storm of the desert.

Mr. Esterbrook gives a strong and vivid performance as the young English captain. Arthur Evers and Irene Warfield are in the support.

"TOO MANY CROOKS" is the comedy subject.

Friday and Saturday—Dainty Marguerite Clark in Maude Adams' greatest success, "The Pretty Sister of Jose."

Hear the LaSalle Pipe Organ.

10c Continuous From 9 a. m. to 11 p. m. Come any time

## Look Who's Coming RUTHERFORD GREATER SHOWS

Auspices L. O. O. M. No. 555  
ONE WHOLE WEEK

Starting Monday, July 5th  
Ending Saturday, July 10th

Will Exhibit at Baker Field W. Wash. St

In presenting the Rutherford Greater Shows to the public this season, a with particular pride that we call attention to the show of its kind in the world, with its many new high-class foreign and American features, secured for the first time and now presented by this show only. For TEN YEARS this wonderful exhibition has traveled from Maine to Oregon and from Texas to Canada, establishing a record for big business never before equalled in the annals of amusement records. Bring the children to see this colossal scene of Fairyland Revelry.

## THE AUDITORIUM

Among the good pictures to be presented at this Theater Today, we are delighted to call your attention to the Excellent Vitaphone Feature entitled



EARL WILLIAMS



ANITA STEWART

## "Love, Snow and Ice"

Three part Vitaphone with Wally Van.

"SELIG WEEKLY OF CURRENT EVENTS"

Showing today the christening of the greatest of all dreadnoughts, The Arizona, and many other startling events.

## "THE GODDESS"

The Classiest Serial ever produced, featuring Earl Williams and Anita Stewart.

TOMORROW—Friday, July 2nd—George Kleine presents the dainty little actress, Irene Fenwick, in a six part version of Porter Emerson's great play, "THE SPENDTHRIFT," now playing the Zeigfeld Theater, Chicago, at a 25 cent price. You can see it here at our prices of 5 and 10 cents.

Extra Special 2-reel Feature Monday—"The Chicago Derby Auto Race," that took place in Chicago last Saturday. The greatest and most thrilling 500 mile auto race ever seen.

Exclusive Agents for the Famous Douglas Shoes \$3.50, \$4.00 and \$4.50.  
DAVID HURWICH 132 S. Mich. St.

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FURNITURE  
SOUTH MICHIGAN ST.  
Opposite Auditorium.

Vacuum Ice Is  
100% Pure

"SHIMP'S COAL MAKES WARM FRIENDS"  
Good Soft Coal \$3.50 Ton  
All kinds of Hard and Soft Coal. Also COKE, Pocahontas PEA for underfed furnaces, CANNEL Coal for Grates, and Wood and Feed. Give me a call and I will make it HOT for you.

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